

EXHIBIT E

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August 21, 2019

BY FEDERAL EXPRESS

FOIA Compliance Office
U.S. Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581

Re: Freedom of Information Act Request

To FOIA Compliance Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and 17 C.F.R. § 145.7, we request the following documents and communications:

- 1) All documents and communications concerning the “binding agreement” referenced in docket entry 302 of the case captioned *U.S. C.F.T.C. v. Kraft Foods Group, Inc.*, 15-cv-2881 (N.D. Ill.) (the “Kraft Case”);¹
- 2) All documents and communications concerning the “Consent Order” referenced in docket entries 309 and 310 of the Kraft Case;²
- 3) All documents and communications concerning the decision by the CFTC and/or any of its staff, agents, and/or commissioners to approve the Consent Order;
- 4) All documents and communications concerning the decision by the CFTC and/or any of its staff, agents, and/or commissioners to approve the Consent Order without findings of fact or conclusions of law;

¹ For reference, a copy of the docket of the Kraft Case is attached hereto as Exhibit A.

² For reference, a copy of the Consent Order is attached hereto as Exhibit B.

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- 5) All documents and communications concerning the decision by the CFTC and/or any of its staff, agents, and/or commissioners to approve the provision in the Consent Order that states: "Neither party shall make any public statement about this case other than to refer to the terms of this settlement agreement or public documents filed in this case, except any party may take any lawful position in any legal proceeding, testimony, or by court order";
- 6) All documents and communications concerning the preparation by the CFTC and/or any of its staff, agents, and/or commissioners of the press releases referenced in docket entry 319 of the Kraft Case;
- 7) All documents and communications concerning the decision by the CFTC and/or any of its staff, agents, and/or commissioners to publish the press releases referenced in docket entry 319 of the Kraft Case;
- 8) All documents and communications concerning the decision by the CFTC and/or any of its staff, agents, and/or commissioners to remove the press releases referenced in docket entry 319 of the Kraft Case.


Pursuant to FOIA, 5 U.S.C. § 552(a)(6)(A), we request that the CFTC produce these records within 20 business days.

This request is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester. As such, we request that any fees for this request be waived. *See* 5 U.S.C. §(a)(4)(A)(iii); 17 CFR Appendix B to Part 145(b). To the extent the Commission determines that any fees for searching or copying the records are chargeable, please supply the records without informing us of the cost if the fees do not exceed US \$5,000, which we agree to pay. Please produce these records electronically.

If you deny all or any part of this request, please cite each specific exemption you think justifies your withholding of information and notify us of appeal procedures available under the law.

Please contact us with any questions at the address above or at benjamin.sauter@kobrekim.com.

Sincerely,



Michael S. Kim
David H. McGill
Benjamin J.A. Sauter
Leanne A. Bortner



November 4, 2019

Dear Customer:

The following is the proof-of-delivery for tracking number **776043773067**.

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Status:	Delivered	Delivered to:	Mailroom
Signed for by:	L.SMITH	Delivery location:	1155 21ST ST NW Washington, DC 20581
Service type:	FedEx Standard Overnight	Delivery date:	Aug 22, 2019 08:54
Special Handling:	Deliver Weekday		

A handwritten signature in black ink, appearing to read "L. SMITH", is written over a background of repeating "FedEx" logos.

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Tracking number:	776043773067	Ship date:	Aug 21, 2019
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Recipient:

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CFTC
Three Lafayette Centre
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Washington, DC 20581 US

Reference**Shipper:**

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To: Colette L. Morris
Subject: [EXTERNAL] FedEx Shipment 776043773067 Delivered

This tracking update has been requested by:

Company Name: Kobre & Kim LLP
Name: Colette L. Morris
E-mail: colette.morris@kobrekim.com

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Reference: 98000/400
Ship date: Aug 21, 2019
Signed for by: L.SMITH
Delivery location: Washinton, DC
Delivered to: Mailroom
Delivery date: Thu, 8/22/2019 8:54 am
Service type: FedEx Standard Overnight®
Packaging type: FedEx® Envelope
Number of pieces: 1
Weight: 0.50 lb.
Special handling/Services: Deliver Weekday
Standard transit: 8/22/2019 by 3:00 pm

Tracking number: 776043773067

Shipper Information	Recipient Information
Colette L. Morris	FOIA Compliance Office
Kobre & Kim LLP	CFTC
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